

REMARKS/ARGUMENTS

Drawings

1. The drawings were objected to under 37 CFR 1.83(a) as failing to show every feature specified in the claims, namely the “first end,” “pivot point,” “arcuately shaped,” and “second end” (presumably) of claims 7, 16 and 19. Applicant directs the examiner to paragraph [0022] which reads in part:

Figure 1 shows ... [t]he string connection portion comprises a body 32 that extends from a first end 34 to a second end 36 along a preferably genuinely arcuately shaped body 32. Other shapes are likewise envisioned. In this embodiment, the string portion connection first end 34 and the string connection portion second end 36 are each hollow thus allowing placement of a pivot pin 40 therethrough. The arcuately shaped string connection portion body 32 defines a passageway 38 therethrough, which is further configured to allow a portion of the attachment device 20 to pass therethrough when rotated about the pivot pin 40.

As such, Applicant believes that the drawings show said features from said claims.

Amendments in General / Claim Rejections - 35 U.S.C. § 112

2. Claims 2, 7 and 16. Claim 2 has been cancelled. Claims 7 and 16 have been amended consistent with the examiner’s comments to add antecedent basis and address the examiner’s concerns. A missing word (“end”) was added to claim 16 as well. These changes add no new matter.
3. Claims 3 and 4 have been slightly amended to render them more definite. Such changes add no new matter.
4. Claim 19 has been amended to add a missing word (“end”). These changes add no new matter.
5. Claim 18 has been amended to clarify which attachment portion is referred to. Such change adds no new matter.

Claim Rejections - 35 USC § 102

6. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d. 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 828 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). MPEP § 2131.

7. The Examiner rejected claims 1-4 under §102(b) as being anticipated by Eirich et al. and claims 1 and 7 under §102(e) as being anticipated by Guhse.

a. Claim 1 has been amended to include the limitation that the at least two variable connection devices be fixed relative to one another. Eirich et al. shows its two variable connection devices pivotally connected to one another. For this reason, Eirich et al. does not anticipate the present invention in claim 1 or any of the claims that depend therefrom (claims 2-9). Such changes add no new matter.

b. Claim 1 has also been amended to include the limitation that the string connection portion be pivotally connected to the surface attachment portion. Eirich does not show this, and or does Guhse. For this reason, Guhse does not anticipate the present invention in claim 1 or any of the claims that depend therefrom (claims 2-9). Such changes add no new matter

c. As such, claims 1-9 are not anticipated by Eirich et al. and/or Guhse.

8. The Examiner rejected claims 10, 12 and 13 under §102(e) as being anticipated by Savalla and claims 10-11, 14 and 16 under §102(e) as being anticipated by Guhse. The Examiner further indicated that claim 15 was dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim (claim 10) and any intervening claims (claim 14).

a. Applicant has added the limitations of claims 14 and 15 into claim 10. Such changes add no new matter. Such changes overcome the rejections to claim 10 and all claims that depend there-from (claims 11-18).

Claim Rejections - 35 USC § 103

9. The Examiner rejected claim 5 under §103(a) as being unpatentable (obvious) in view of Eirich et al in view of Beyers.

10. “To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on the applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).” MPEP § 706.02(j).

11. Applicant has amended claim 5’s base claim (claim 1) to add additional claim limitations. The cited prior art references do not teach these limitations, and as such claim 5 is thus not obvious in view of Eirich et al in view of Beyers.

12. All such changes in the Response add no new matter.

New Claims 20-24

13. Applicant has added new claims 20-24. These new claims are merely reworkings of existing claims which the examiner indicated are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim any intervening claims. Therefore, examination of these new claims will not require an additional search by the Examiner. These new claims contain no new matter.

14. Claim 20 is a combination of the subject matter of original claims 1, 5 and 6.

15. Claim 21 is a combination of the subject matter of original claims 1 and 8.

16. Claim 22 is the subject matter of original claim 9, depending from new claim 21.

17. Claim 23 is a combination of the subject matter of original claims 10 and 17.

18. Claim 24 is the subject matter of original claim 18, depending from new claim 23.

Examiner Guadalupe
Serial # 10/785,580

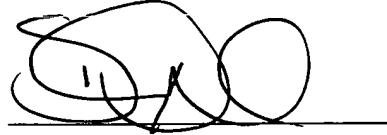
Conclusion

If the Examiner feels it would advance the application to allowance or final rejection, the Examiner is invited to telephone the undersigned at the number given below.

Reconsideration and allowance of the application as amended is respectfully requested.

DATED this 25th day of February 2005.

Very respectfully,



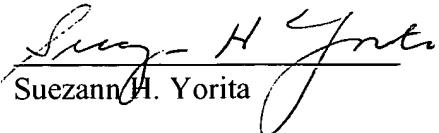
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